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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,576	12/29/2000	Lok Yan Leung	AUS920000797US1	8367
35525	7590	04/02/2009	EXAMINER	
IBM CORP (YA)			LIPMAN, JACOB	
C/O YEE & ASSOCIATES PC				
P.O. BOX 802333			ART UNIT	PAPER NUMBER
DALLAS, TX 75380			2434	
			NOTIFICATION DATE	DELIVERY MODE
			04/02/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte LOK YAN LEUNG, ANTHONY JOESPH NADALIN,
BRUCE ARLAND RICH, and
THEODORE JACK LONDON SHRADER

Application No. 09/751,576

MAILED
MAY 10 2006

PAT & TM OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on April 11, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

A Reply Brief was received in the office on October 25, 2005 in response to the Examiner's Answer mailed September 2, 2005. However, in accordance with the revision effective September 13, 2004, 37 CFR § 41.43 states:

... After receipt of a reply brief in compliance with [37 CFR] § 41.41, the primary examiner must acknowledge receipt and entry of the reply brief

A review of the application indicates that the reply brief has not been entered into PALM nor has it been considered by the examiner. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the examiner:

- 1) for consideration of the reply brief filed October 25, 2005;
- 2) to have the reply brief filed October 25, 2005 entered into Patent Application Location and Monitoring System (PALM);
- 3) for written acknowledgment of entry of reply brief to the appellants; and
- 4) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE M. SHAW
Deputy Chief Appeal Administrator
(571) 272-9797

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